



Image

\$ 1632

Atty. Dkt. No. 084335-0153

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Toshio Ota et al.

Title: GROWTH AND  
DIFFERENTIATION FACTOR

Appl. No.: 10/030,225

Filing Date: 01/08/2002

Examiner: Scott D. Priebe

Art Unit: 1632

**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee	
Total Claims:	23	-	20	=	3	x	\$18.00	=	\$54.00	
Independents:	2	-	3	=	0	x	\$86.00	=	\$0.00	
First presentation of any Multiple Dependent Claims:							+	\$290.00	=	\$0.00
								0		
CLAIMS FEE TOTAL									=	\$54.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$54.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$54.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$54.00. A duplicate copy of this transmittal is enclosed.

- ☒ A check in the amount of \$54.00 is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

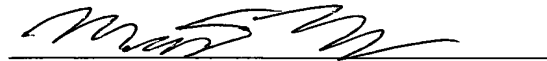
Date February 26, 2004

FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 672-5300

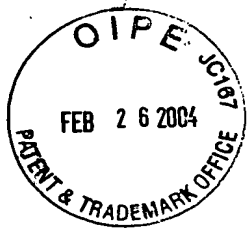
Facsimile: (202) 672-5399

A handwritten signature in dark ink, appearing to read 'Matthew E. Mulkeen', is written over a horizontal line.

Matthew E. Mulkeen

Attorney for Applicants

Registration No. 44,250



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**RESPONSE TO RESTRICTION REQUIREMENT AND  
SECOND PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the restriction requirement dated January 26, 2004, applicants elect, with traverse, Group I, claims 1, 4-10 drawn to polynucleotides encoding the peptide of SEQ ID NO: 2. Applicants traverse for the reasons that follow in the remarks section of this response.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks** begin on page 6 of this document.

Please amend the application as follows.

03/02/2004 DTESSEM1 00000110 10030225

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